30 DECLASSIFIED POL 14 VIETS (573)

INCOMING TELEGRAM *Department of State*

48 CONFIDENTIAL

Action

EA 2VZCZCMJB638JIA315
RR RUEHC
Info DE RUMJIR 25259 1301315
ZNY CCCCC
SS R 101205Z MAY 67
GPM FM AMEMBASSY SAIGON
SP TO RUEHC/SECSTATE WASHDC
SC INFO RUMTBK/AMEMBASSY BANGKOK
SAH RUHHHQA/CINCPAC
L RUMJFS/AMEMBASSY VIENTIANE
H STATE GRNC
SAI BT
P C O N F I D E N T I A L SAIGON 25259
USIA CINCPAC FOR POLAD
NSC
INR SUBJECT: CONSTITUENT ASSEMBLY: MAY 9 AND MAY 10 (MORNING) SESSIONS
CIA
NSA 1. CA APPROVED ARTICLE 35 OF DRAFT PRESIDENTIAL ELECTION LAW WITHOUT CHANGE.
IDD
AID 2. ARTICLE 36 CHANGED SLIGHTLY. PHRASE "COMPLAINTS WITH REGARD TO VOTING" SUBSTITUTED FOR PHRASE "CANDIDATES' COMPLAINTS."

RSR 3. FIRST AND SECOND PARAS. ARTICLE 37 APPROVED WITHOUT CHANGE. THIRD PARA. CHANGED AND NEW PARA. ADDED. THEY READ AS FOLLOWS:

DEPARTMENT OF STATE A/CDC/IT 0897
REVIEWED BY Joan Ingalls 1967 MAY 10 PM 12/37 DATE 10/5/81
RDS ☐ or XDS ☐ EXT. DATE
TS AUTH. REASON(S)
ENDORSE EXISTING MARKINGS ☐
DECLASSIFIED ☑ RELEASABLE ☑
RELEASE DENIED ☐
PA or FOI EXEMPTIONS

QUOTE: ARTICLE 37. (3) THE NATIONAL ASSEMBLY SHALL MEET ON SEPT 25, 1967, AT THE LATEST, TO TAKE A FINAL VOTE ON THE VALIDITY AND OFFICIAL RESULTS OF THE ELECTION.

(4) DURING THE REVIEW PERIOD, CANDIDATES HAVE THE RIGHT TO KNOW THE PARTICULARS OF ANY COMPLAINT AGAINST THEM AND HAVE THE RIGHT TO PLEAD THEIR CASE. UNQUOTE.

4. ARTICLE 38 WAS APPROVED WITHOUT CHANGE.

5. ARTICLE 39 APPROVED WITH ONE MINOR MODIFICATION. PHRASE "WITHIN FIVE DAYS" CHANGED TO "WITHIN ONE WEEK."

6. ARTICLE 40 APPROVED WITHOUT CHANGE.

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7. ARTICLE 41, WHICH DEALS WITH CONDITIONS UNDER WHICH ASSEMBLY HAS RIGHT TO DECLARE ENTIRE ELECTION INVALID, SUBJECT OF LENGTHY DEBATE WHICH RAN ON INTO MAY 10 SESSION. TWO MAIN ISSUES AT STAKE WERE WHETHER ARTICLE SHOULD SPELL OUT PRECISE TYP YOF IRREGULARITIES WHICH WOULD RENDER ELECTION INVALID AND WHETHER ASSEMBLY, RATHER THAN COURTS AND CENTRAL ELECTION COUNCIL, REALLY COMPETENT TO RULE ON SUCH MATTERS. AT ONE POINT, DRAFTING COMMITTEE PROPOSED TO INCLUDE FAILURE OF ANY CANDIDATE TO RECEIVE 10 PERCENT OF VOTES CAST AS "IRREGULARITY"

REQUIRING NEW ELECTION. COMMITTEE EVENTUALLY ABANDONED THIS PROPOSAL.

8. ARTICLE 41 AS FINALLY APPROVED BY CA READS AS FOLLOWS:

QUOTE: ARTICLE 41. THE NATIONAL ASSEMBLY SHALL PROCLAIM THE ANNULMENT OF THE ENTIRE ELECTION IF IT FINDS THAT IRREGULARITIES CONFIRMED BY THE CENTRAL ELECTION COUNCIL OR BY A RULING OF A COURT COULD OPEN TO QUESTION THE HONESTY OF THE VOTING AND EFFECT THE GENERAL RESULTS OF THE ELECTION. UNQUOTE.

9. ARTICLES 42 AND 43 WERE APPROVED WITHOUT CHANGE.

10. CA WILL MEET AFTERNOON MAY 10 TO DEBATE FINAL TWO ARTICLES AND BEGIN REVIEW OF ENTIRE LAW BEFORE FINAL VOTE. IN ADDITION TO FURTHER DEBATE ON QUESTION OF RUN-OFF (ARTICLE 24), DEBATE MAY ALSO BE REOPENED ON PARA. 7 OF ARTICLE 10 WHICH STATES THAT PRESIDENTIAL CANDIDATES MUST BE "INTRODUCED" BY THIRTY "ELECTED REPRESENTATIVES OF THE PEOPLE", MEANING ANY COMBINATION OF THIRTY DEPUTIES AND PROVINCIAL OR MUNICIPAL COUNCILLORS. PROVISION HAS BEEN CRITICIZED AS UNDEMOCRATIC BY NUMBER OF PERSONS WITHIN AND OUTSIDE THE ASSEMBLY, INCLUDING FATHER

TRAN DU, LEADER OF CATHOLIC CITIZENS BLOC, WHO HAS ISSUED COMMUNIQUE ON THE SUBJECT. DU WAS ABLE TO CAUSE ASSEMBLY SOME EMBARRASSMENT WHEN IT DELETED "SUPREME BEING" FROM PREAMBLE OF CONSTITUTION. POSSIBLE BUT UNLIKELY THAT HIS CRITICISM OF ARTICLE 10 WILL BE FOLLOWED-UP BY RENEWED AGITATION AGAINST CA.

BUNKER
BT

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